

By: Anchia

H.B. No. 3051

A BILL TO BE ENTITLED

AN ACT

relating to the term for which certain charters granted for open-enrollment charter schools are renewed.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1131 to read as follows:

Sec. 12.1131. PERIOD FOR WHICH CERTAIN CHARTERS ARE RENEWED. Notwithstanding Section 12.114 or any other provision of this subchapter or the period initially specified under Section 12.111(a)(2), a charter granted under this subchapter is renewed for a period of 25 years beginning on the date the following requirements are each satisfied:

(1) one or more open-enrollment charter schools have been operating for at least five years under the charter as granted or previously renewed;

(2) each school that has been operating under the charter has been rated as exemplary or recognized under Section 39.072:

(A) for at least three of the five preceding school years; or

(B) for each school year in which the school has been operating if the school has been operating for less than three school years;

(3) each school operating under the charter has

1 received an unqualified opinion in the most recent independent  
2 auditor's report of the school's finances;

3 (4) the agency has determined that neither the charter  
4 holder or a school operating under the charter is at risk of  
5 financial insolvency;

6 (5) the charter holder has provided written notice to  
7 the State Board of Education, in the manner required by board rule,  
8 that the requirements prescribed by Subdivisions (1) through (4)  
9 have been met; and

10 (6) the State Board of Education has made a  
11 determination that the requirements prescribed by Subdivisions (1)  
12 through (5) have been met and has renewed the charter.

13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2009.